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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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9 PATRICK O. FRANKLIN, SR., ) 1:05-CV-00524-REC-SMS-P  
10 Plaintiff, )  
11 vs. ) ORDER TO SUBMIT NEW APPLICATION  
12 CALIFORNIA CORRECTIONAL ) TO PROCEED IN FORMA PAUPERIS AND  
INSTITUTION, et al., ) CERTIFIED COPY OF TRUST ACCOUNT  
13 Defendants. ) STATEMENT **OR** PAY FILING FEE  
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15 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C.  
16 § 1983, together with an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 and a  
17 copy of his prison trust account statement. However, the second page of the application was not entirely  
18 completed; the prison official did not supply the amounts of the "average monthly balance" and "average  
19 monthly deposits" for the last six months in plaintiff's account. Additionally, the copy of plaintiff's  
20 prison trust account statement was not certified and did not include the entire six month period  
21 immediately preceding the filing of the complaint. Plaintiff will be provided the opportunity to submit  
22 a new application to proceed in forma pauperis and a certified copy of his trust account statement **or** pay  
23 the \$250.00 filing fee.  
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25 Accordingly, IT IS HEREBY ORDERED that:  
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- 27 1. The Clerk's Office shall send to plaintiff the form for application to proceed in forma  
pauperis.  
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2. Within thirty days of the date of service of this order, plaintiff shall submit a

1 completed application to proceed in forma pauperis and a certified copy of his prison trust account  
2 statement for the six month period immediately preceding the filing of the complaint, or in the  
3 alternative, pay the \$250.00 filing fee for this action. Failure to comply with this order will result in a  
4 recommendation that this action be dismissed.

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6 IT IS SO ORDERED.

7 **Dated: May 4, 2005**  
i0d3h8

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE

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